

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**STATE OF OHIO,
ex rel., MICHAEL DEWINE,
OHIO ATTORNEY GENERAL,**

Plaintiff,

vs.

**Case No.: 2:14-cv-1843
JUDGE SMITH
Magistrate Judge Vascura**

SUPERIOR FIBERS, INC., et al.,

Defendants.

ORDER

On December 7, 2017, the United States Magistrate Judge issued a *Report and Recommendation* recommending that Plaintiff's Motion for Default Judgment be denied and that the Court *sua sponte* dismiss Defendant Superior Fibers, Inc. for failure to timely effect service of process. (Doc. 86). The parties were specifically advised of their right to object to the *Report and Recommendation* and of the consequences of their failure to do so. There has nevertheless been no objection to the *Report and Recommendation*. On December 21, 2017, Plaintiff filed a notice with the Court noting the agreement to dismissal of Defendant Superior Fibers, Inc. with prejudice. (See Doc. 87).

Accordingly, the *Report and Recommendation* is hereby **ADOPTED** and **AFFIRMED**. Plaintiff's Motion for Default Judgment (Doc. 80) is hereby **DENIED**. Defendant Superior Fibers, Inc. is hereby dismissed with prejudice for failure to timely effect service of process.

The Clerk shall remove Documents 80 and 86 from the Court's pending motions list, dismiss Defendant Superior Fibers, Inc., and close this case.

IT IS SO ORDERED.

/s/ George C. Smith
GEORGE C. SMITH, JUDGE
UNITED STATES DISTRICT COURT